



**West Palm Beach
Community Redevelopment Agency**

PASS/FAIL AGENDA

**February 8, 2021
4:30 P.M.**

IN ACCORDANCE WITH THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT (ADA), PERSONS IN NEED OF A SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHALL, WITHIN THREE DAYS PRIOR TO ANY PROCEEDING, CONTACT THE CITY CLERK'S OFFICE, 401 CLEMATIS STREET, WEST PALM BEACH, FLORIDA 33401, {(561) 822-1210}

**MAYOR
KEITH A. JAMES**

**CITY COMMISSION
PRESIDENT KELLY SHOAF**

**COMMISSIONER CHRISTINA LAMBERT
COMMISSIONER CHRISTY FOX**

**COMMISSIONER CORY NEERING
COMMISSIONER JOSEPH A. PEDUZZI**

**ADMINISTRATION
CRA EXECUTIVE DIRECTOR, CHRISTOPHER ROOG
CITY ATTORNEY, KIMBERLY ROTHENBURG
TREASURER, MARK A. PARKS
CITY CLERK, HAZELINE CARSON**

1. ROLL CALL

CIVILITY AND DECORUM: The City of West Palm Beach is committed to civility and decorum by its officials, employees and members of the public who attend this meeting. The City Code, Secs. 2-31(8), 2-31(18) and 2-31(22), provides in pertinent part:

- Officials shall be recognized by the Chair and shall not interrupt a speaker.
- Public comment shall be addressed to the City Commission as a whole and not to any individual on the dais or in the audience.
- Displays of anger, rudeness, ridicule, impatience, lack of respect and personal attacks are strictly prohibited.
- Unauthorized remarks from the audience, stamping of feet, whistles, yells and similar demonstrations shall not be permitted.
- Offenders may be removed from the meeting.

COMMENTS FROM THE PUBLIC FOR NON-AGENDA ITEMS:

COMMENTS FROM THE BOARD:

ADDITIONS / DELETIONS / REORGANIZATION OF AGENDA:

CONSENT CALENDAR (2): **APPROVED**

2. **Minutes of the Community Redevelopment Agency Meeting of January 11, 2021.**
Agenda Cover Memorandum No.: 22154

Staff Recommended Motion:

Approve the Minutes of the Community Redevelopment Agency Meeting of January 11, 2021.

RESOLUTIONS (3-4):

3. **Resolution No. 20-56 **APPROVED** authorizing a Conveyance Agreement between the West Palm Beach CRA and Skunkworts, LLC for the CRA-owned property located at 520 Northwood Road.**

RESOLUTION NO. 20-56: A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING A CONVEYANCE AGREEMENT BETWEEN THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY AND SKUNKWORTS, LLC, TO CONVEY THE CRA-OWNED PROPERTY LOCATED AT 520 NORTHWOOD ROAD TO SKUNKWORTS, LLC; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Agenda Cover Memorandum No.: 22155

Staff Recommended Motion:

Approve Resolution No. 20-56.

Background:

In October 2018, the CRA received an unsolicited proposal from G.H.R.E. Investments, LLC for the acquisition of CRA-owned property at 520 Northwood Road. In order to entertain this proposal, pursuant to City Ordinance Sec. 66-73, the CRA issued an Invitation to Negotiate (ITN) No. 18-19-209 on February 15, 2019 for the sale of 520 Northwood Road. The solicitation was advertised on the Procurement website, the Palm Beach Post and DemandStar (a National website to connect businesses to government opportunities). The deadline to respond was March 19, 2019, and no additional proposals were received. Based on the CRA Advisory Board's recommendation to send the solicitation to Northwood Village merchants, the ITN was re-issued as ITN No. 18-19-501 on April 2, 2019, and email notifications were sent to Northwood Village business owners.

Two (2) responses were received from the reissue:

- 1) Skunkworts, LLC
- 2) Day by Day Shoppe

On June 28, 2019, CRA staff presented the three concepts for the sale of 520 Northwood Road to the CRA Advisory Board with the recommendation of awarding to Skunkworts, LLC. After discussion, the CRA Advisory Board agreed with staff's recommendation and recommended conveying the property to Skunkworts.

On July 1, 2019, CRA Staff presented the three concepts for the sale of 520 Northwood Road to the CRA Board. At that time, staff requested the CRA Board approve the CRA Advisory Board's recommendation of award to Skunkworts, LLC, and direct staff to begin negotiation of a conveyance agreement, which would be brought back to the Board for final approval. During this meeting, it was brought to the Board's attention that Day by Day Shoppe, one of the other proposers, contacted a Commissioner by email, and they were subsequently disqualified from consideration due to a lobbying violation. After further discussion, a motion to award the contract to Skunkworts was made; however, the motion failed for a lack of a second, and the CRA Board took no action on the item.

At the next CRA Advisory Board meeting on July 26, 2019, the advisory board members requested that the item be brought back to the CRA Board to reconsider the award to Skunkworts, LLC. On August 12, 2019, on behalf of the Advisory Board, Commissioner Shoaf advised the CRA Board of the request to bring back the agenda item and received no objection. By this time, the CRA Advisory Board had new members, and on November 22, 2019, Stephen Karlson of Skunkworts returned to present his proposal to the Advisory Board. The CRA Advisory Board's recommendation was to confirm their original motion to award a contract to Skunkworts for the sale of 520 Northwood Road and bring their recommendation back to the CRA Board in January 2020.

On January 13, 2020, the CRA Board approved the CRA Advisory Board's and staff's recommendation of contract award to Skunkworts and directed staff to a negotiate an Agreement.

Below is an outline of the agreement's terms:

- The CRA will convey the property to Skunkworts at no cost via a special warranty deed.
- Since the property is conveyed at no cost, Skunkworts shall not be eligible to apply for or receive any other CRA incentives related to the project to be developed on the property.
- The closing date shall occur no later than forty-five (45) days from the effective date of the agreement.
- Skunkworts will submit for a building permit within sixty (60) days of the closing date.
- Construction shall be fully completed, and a Certificate of Occupancy shall be issued no later than twelve (12) months from the date Skunkworts receives the approved building permit. The construction completion date may be extended by a term of three (3) months upon approval of the CRA Director and mutual agreement of the parties by a written amendment to this agreement. Any additional extensions shall require the approval of the CRA Board.

- Skunkworts will be required to build a Barrel House comprised of climate controlled space to house up to 300 wooden casks and a brewery taproom on the property.
- Ten (10) year restrictive covenant requiring the property to be utilized as a Barrel House or for some other commercial/retail use. The use restriction period commences upon issuance of certificate of occupancy for the Barrel House.

To ensure compliance with the terms of the Agreement, at the time of closing, Skunkworts will sign a reverter deed which will be held by the CRA. If Skunkworts fails to meet the deadlines established in the Agreement, or fails to comply with the use restriction, the CRA may record the reverter deed and re-take title to the property.

Resolution No. 20-56 approves the Conveyance Agreement between the CRA and Skunkworts, LLC.

Commission District 1: Commissioner Kelly Shoaf.

Fiscal Note:

Once property is conveyed, 2020 preliminary assessed value will be part of the 2021 tax base.

4. **Resolution No. 21-10 APPROVED ratifying the submittal of a grant application in the amount of \$1,000,000 to the Florida Department of Environmental Protection for a grant from the 2021 Land and Water Conservation Fund Program for assistance in funding the development of recreational facilities at Currie Park.**

RESOLUTION NO. 21-10: A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY RATIFYING THE SUBMITTAL OF A GRANT APPLICATION TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION SEEKING FUNDING UNDER THE LAND AND WATER CONSERVATION FUND GRANT PROGRAM IN THE AMOUNT OF \$1,000,000 FOR THE DEVELOPMENT OF RECREATIONAL FACILITIES AT CURRIE PARK; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Agenda Cover Memorandum No.: 22156

Staff Recommended Motion:

Approve Resolution No. 21-10.

Background:

The U.S. Department of the Interior, through the National Park Service, provides grant funding for the development of recreational facilities through its Land and Water Conservation Fund (LWCF). In Florida, such funding is administered through the Florida Department of Environmental Protection. The LWCF grants are offered on a competitive basis to county governments, municipalities, and other legally constituted local governmental entities with the responsibility for providing outdoor recreational sites and facilities for the general public.

On January 4, 2021, the 2021 Land and Water Conservation Fund grant opportunities for the acquisition or development of recreational facilities for public outdoor recreation were published. Eligible facilities include, but are not limited to, waterfront access, picnic areas, trails, pools, ballfields, soccer fields, tennis, basketball and volleyball courts, playgrounds, outdoor theaters and boating, and fishing features. Associated support facilities such as lighting, parking, restrooms, concessions, and landscaping are eligible, but may not account for more than 50% of the project cost. The maximum grant request may not exceed \$1,000,000 and there is a 100% match required.

The CRA is seeking a grant submittal in the amount of \$1,000,000 for the improvements to Currie Park. The \$1,000,000 match will come out of the Series 2020 General Obligation Parks Bond, as part of the \$8,000,000 budgeted for the construction of Currie Park. Because the application submittal deadline was February 3, 2021, the CRA submitted an application and seeks ratification of the submittal.

Resolution No. 21-10 ratifies the submittal of the grant application.

Commission District 1: Commissioner Kelly Shoaf.

Fiscal Note:

100% match requirement. The \$1,000,000 match will come out of the Series 2020 General Obligation Parks Bond.

ADJOURNMENT:

NOTICE: IF ANY PERSON DECIDES TO APPEAL ANY DECISION OF THE CITY COMMISSION AT THIS MEETING, THAT PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND FOR THAT PURPOSE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THE CITY OF WEST PALM BEACH DOES NOT PREPARE OR PROVIDE SUCH A RECORD.